

MOTION FOR RECONCITARSION

FILED
2005 APR -4 P 3:56
MARCH 29, 2005
U.S. DISTRICT COURT
DISTRICT OF MASS.

Dear Judge Wolf:

I am writing to you for Motion for Reconcitarsion the reason why it took so long to file My Civil Case against Verizon and the Union is because I had a case pending with the Mass. Discrimination board. They said I had to wait until the discrimination case was thru before I could file a civil case. The Discrimination, case number was # 02BEM00376. So please do not dismiss my case I did everything the courts told me to do. Verizon sent me a letter to return to work on December 13, 2001 if I cannot return, submit letter, which my lawyer did on December 10, 2001. (SEE LETTER THAT WAS SENT) We did not hear from Verizon for 2 months. Which I thought everything was all right. Then I received a letter on February 2, 2002, which said that they were terminating, On December 15, 2001. Which I found out later that Verizon retired me. Mean while I had no money so I had to drain all of my 401 to live by. I am a widow and my daughter and granddaughter live with me.

PATRICIA COLBURN
CASE # FOR VERIZON 04-11859
CASE # FOR UNION 04-11920

FILED
CLERKS OFFICE
2005 DEC 7 P 3:56
verizon
U.S. DISTRICT COURT
DISTRICT OF MASS.
December 7, 2001

Patricia Colburn
100 Kennelworth Ave.
Brockton, MA 02301

Ms. Colburn,

On December 3, 2001 you were notified by telephone that the Company's Corporate Health Services Consultant found you able to work. You were instructed to return to work on Tuesday December 4, 2001 and subsequently you failed to return to work and perform the essential functions of your job assignment as directed.

You are hereby instructed to return to work and perform the essential functions of your job assignment at 300 Granite Street on December 13, 2001 at 12:30 PM. If you fail to return to work as directed on this occasion, the Company may terminate your employment effective December 13, 2001.

If you have any medical documentation related to your disability that has not been reviewed by the Company's Corporate Health Services Consultant, you should provide it to them before December 13, 2001.

If you have any questions, please call me on 781-348-8191.



Kevin Devin
Manager

LAW OFFICE
OF
STEVEN H. KANTROVITZ
156 STATE STREET
5TH FLOOR
BOSTON MA 02109
TEL. 617-367-0880 * FAX 617-367-0881

FILED
CLERKS OFFICE
2005 APR -4 P 3:56
U.S. DISTRICT COURT
DISTRICT OF MASS

December 10, 2001

Kevin Devin
Verizon
185 Franklin Street
Boston, MA 02110

RE: **Patricia Colburn v. Verizon**
D/O/A: 11/12/01

Dear Mr. Devin:

Please be advised that this office represents Ms. Patricia Colburn in connection with her industrial accident.

I am in receipt of a copy of your letter to Ms. Colburn dated December 7, 2001. Wherein you informed Ms. Colburn that the Company's Corporate Health Services found Ms. Colburn fit to return to work and that Ms. Colburn failed to return to work as instructed to on December 4, 2001.

Ms. Colburn, a twenty-five year employee, would like to convey that she values her employment with Verizon and is very interested in returning to work when her condition permits her to do so. Dr. Iacono, Ms. Colburn's treating physician, has instructed Ms. Colburn to remain out of work indefinitely. Attached for your review please find a short note from Dr. Iacono dated 11/26/01.

Should you have any questions, please do not hesitate to contact me directly. Thank you for your cooperation with this matter.

Very truly yours,

Steven H. Kantrovitz

Steven H. Kantrovitz

Wholesale Dispatch Center

The Verizon logo, consisting of a checkmark-like symbol above the word "verizon" in a bold, sans-serif font.

300 Granite Street, 3rd Floor
Braintree, MA 02184

January 30, 2002

Ms. Patricia Colburn
100 Kennelworth Ave.
Brockton, MA 02301

Ms. Colburn,

On December 3, 2001 you were notified by telephone that the Company's Corporate Health Services Consultant found you able to work. You were instructed to return to work on December 4, 2001 and subsequently you failed to return to work and perform the essential functions of your job assignment as directed.

Upon your failure to report, you were again instructed to return to work and perform the essential functions of your job assignment at 300 Granite St., Braintree on December 13, 2001 at 12:30PM, in a letter dated December 7, 2001. This letter advised you that your failure to return to work as directed on this occasion, would be cause for terminating your employment.

You have failed to return to work on December 13, 2001 as directed, and as a result, you have been discharged from employment with this Company, effective December 13, 2001.

Enclosed please find Document 0590-A for presentation to the Massachusetts Division of Employment and Training if application for unemployment compensation is made.


John Reed
Director of Operations

DISCRIMINATION CASE FILED
CLERKS OFFICE

CASE # 02BEM00376
FILED 2/13/2002 ended on 8/19/2003

2005 APR -4 P 3: 56

U.S. DISTRICT COURT
DISTRICT OF MASS.

August 25, 2003

Dear Katherine Martin:

I am writing to you to appeal my Discrimination Case docket # 021300376 and EEOC # 16ca200948. I feel I was discriminated against because of my age. My reasons for this are as follows. When I was out on disability I was sent a retirement package that was not acceptable to me as I am a widow and this is my only income. That package consists of 1998 money which was not enough for me to retire on. My goal was to work for 30yrs. At any age which would of given me all of my benefits and more money for me to live on.

At the time I was terminated I was never offered any newer package which was more age and years appropriate for me. There was a new package offered that was for 22hundred for every year you had in the company and double IPP. Which I would of taken if it was offered before my termination. This is why I feel I was age discriminated against.

Please take the time to read attached letter which I tried to submit at the 1st time I filed my discrimination Case.

Thank you for your time in reviewing this matter.

Patricia M. Colburn

SS # 031-44-8818

Tel# 508-584-5713

PATRICIA COLBURN

Patricia M. Colburn
100 Kenelworth Ave.
Brockton, Mass. 02301
508-584-5713 DOB 3/18/54
April 22, 2002
Discrimination Case page 1

To Whom it may concern:

My name is Patricia M. Colburn also know as 062. I have worked for the Telephone Company now called Verizon for 25 1/2 years. I have done many jobs I always believed that the company was paying me good money for what I did. I always gave my all and then some. I have taken many responsibilities for this company. I was setup which is being a manager. I have ran the whole work area on weekends. I have covered many managers while they went on Vacation. If I had a problem I could always go to my 2nd level manager with any problems. He was always there for me. We worked out any problems. His name was Michael T. Shea. Well I needed a change and some overtime which Mr. Shea's group did not have, so I went to a different department which meant just changing my seat. Then I worked for Gary Giardi 2nd level manager and everything changed. All rules that I was use too changed. Mr. Giardi had his own rules only 1 night clerk could be off at a time, which there were 12 of us on the afternoon shift. Well I was driving to work on the highway in the middle lane and my truck would not go. I was stepping on the gas it still would not go, so I got my truck over to the break down lane. I called my boss Marianne Craig (1st level manager) and told her what happened that I would be late. Was going to call triple A when a State Trooper showed up. I told him what happened he said you must be running out of gas, so he followed me to the gas station, I got gas and went to work. It was raining that day. Well I believe it was a few days later and the same trouble happened again I had plenty of gas. My truck would not go, so I crept into break down lane and called my boss Marianne Craig saying I needed a emergency vacation day off she said I have to ask Gary Giardi because only 1 clerk could be off. He gave me a hard time and I said what do you want me to do it is pouring out I have to get it towed to my mechanic this is the second time this happened. I even said well come and pick me up. He then said I could have a vacation day. Aug. 22, 2001, my daughter woke me up in the middle of the night crying in pain and was bleeding she was hemerging. I brought her to the hospital at around 1am and they told me she is miscarrying and loosing a lot of blood. So I spent the night in the emergency room with her. The doctor said she would have to stay in bed for 3 to 4 days which were Aug. 23,24 and 25. So now I know I have to deal with Mr. Giardi again to have time off to be with my daughter. I asked him and he was giving me a hard time. He said you have been calling in a lot of emergency time off. I said what do you want me to do beg. I need this time off to take care of my daughter I do not have a husband (he died) and both Mother and Father are deceased so I am the only one. So I told Mr. Giardi I would take the rest of

PATRICIA COLBURN

the week off with no pay. (I did not think this is fair because I have vacation days I could take with out loosing any money) That was ok with him, meanwhile I need my pay to survive but I would always be there for my daughter. I ended up getting myself so up set I ended up with depression I saw Dr. Post and he put me out of work so I could be with my daughter and get paid he could not believe that my boss would do this to me. My union was no help. I had asked Mr. Giardi why he gave days off to another girl with I being on vacation and his answer was her son is dying. Ever since I went to the Union Mr. Giardi was treating me unfairly. I could not believe this was the same company when all I did was to change seats. I thought we are all the same company and all the rules are the same.

Mr. Giardi had told me he can do what ever he wanted. So under these conditions I hope you see how a person like myself would get stressed out. I had asked my Supervisor for a copy of these rules so I would know what Mr. Giardi required. I believed that was not fair, we all work for Verizon and the rules should be the same. Now I know it is the person running the show. Mr. Giardi was not treating me fair. I found out because I filed a grievance with the union that he was treating me like this. Which I was very belittling. I was no longer Patricia Colburn I was just a number not a person. So now I feel like I was let down by the company. I did it all for the company and I needed help. No help was there, I called Ethics and they helped me. So now because of Mr. Giardi my attendance record was bad and I was in therapy because of depression. So I needed to get away from Mr. Giardi so I got a Bid into a different department and far away from the Taunton office.

Now I was working in Boston, which the office moved to Braintree in Feb. I work for Kevin Devin on 12:30-8pm shift. I caught on fast leaning this new job. While working at new location there was all young people with not much service in the company. We all did different projects and allot of the time most of the clerks were not answering the phones. I felt I was doing all the work with only 1 other girl. There was a whole office but they had no one but 1 and myself doing all the closing out for all the technicians and I had a problem with that because I didn't think it was fair for only 2 clerks on line. Then we had a 2nd shift coming in and I thought they would help but there was 1 girl that came in late everyday and then was socializing on personal calls every day. (no discipline or every spoken too.) Well it was getting on my nerves I was trying to close out a tech. and this girl was on a social call and was loud and I could not hear what my tech was saying. I blew up at her and then I went to the Union Rep. (Barbara) to speak to her I can not believe that she is getting the same money as I was and I have been there for 25years. She has a few years and not doing her job. So I went to the union for help. The union Rep. said what do you want me to do? I said tell her to do her job if not I am going to Management well time had past and I was working and I hurt my left hand. I went to the doctors in March 2001. My doctors thought it to be carpal tunnel and wrote me a note to stay out of work. For a week and that's when I was sleeping a lot and was worried about my attendance. I went in to a deep depression I didn't want to get in trouble. I truly believe if there were more people on line I would of not hurt my hand. Well now I am out of work with a sore and painful hand and sleeping all the time. So I was being treated

PATRICIA COLBURN

by my doctor Dr. Post for depression which was from March 15, 2001 till Oct. 23, 2001. Well my hand was in pain still so I went to doctor after doctor to see what was wrong with my hand. After all the test was done the 2 Doctors Which are Dr. Iacono and Dr. Terrono. which said it is tendons and was told that I could not return to this type of work (no more Typing) Now I was getting paid and I was told on a Fri. Oct. 19, 2001 at 2:59pm to return to work on Monday. I could believe I had to return to work knowing I haven't use my left hand at all. So I returned to work because I am a widow and this is my only income. Now my doctor Iacono said I could not do that job; But I need to be paid. So now I return to work on Oct. 23, 2001. When I returned I got suspended with no pay for 1 day my boss Kevin Devin said I was to go on line which is closing out the tech typing and the 2nd half of the day filing. Well now I have worked till Nov.12, 2001 PM Nov.12, 2001 I was filing and the next morning I had pain in my left side of my breast. So I called my boss and said I need to go to the doctor in the am and I might be late Kevin said to call him when I got out of the doctors office. I believe it was 2 hours I was going to be late and he said I would not get paid for that time so I took a APX day the next day. I went into work in the am I am not due to work till 12:30pm and fill out a on the job accident report. I had pulled muscle strain in my left breast and shoulder and left wing. Now work new I haven't used my left hand for anything but I tried. So now my doctor said I could not return to this line of work. I need surgery but there is no guarantee this will fix the problem. So because there Dr. said there is nothing wrong with me I have not received any money since Nov. 15, 2001. I have had No Union Support. because when I called there office they said they don't cover workman comp. cases. I have called everyone for help and my health is not good I have pain in my hand everyday. I am seeing my Dr. Pace to help me not to go back into full depression. I received a letter on Feb. 1, 2002 said I am terminated as of Dec. 13, 2001. My Lawyer wrote to Verizon.

Dear _____

2/20/04

My name is Patricia M. Colburn I am 50 years old and a widow I have one daughter 26 and a granddaughter 18 months. I have worked for the telephone company (VERIZON) for 25 and ½ years. I only had four more years until I could retire with full benefits. The company rules are 30 years at any age you get full benefits. However, I hurt my hand on the job in March of 2001. Being a company person that I was I did not report it as a on the job injury. I went to the doctors and she thought it was carpal tunnel and told me to rest it and she put me out of work for a week and told me to wear a hand brace. I got myself all upset because being a single parent and very independent I could not do anything as my left hand was in a brace. I found myself sleeping a lot and was very depressed. I was not getting any better with my depression so I went to my doctor for help. I told him what happen, he knows how the company is about attendance record, and mine was not that good he put me out of work for a month. Therefore, when I called my boss to tell him I would be out of work because I was sick he informed me to call the absent reporting center, I spoke with Mr. Nordstrom. I informed him that I was going to be out of work with depression and I told Mr. Nordstrom that I also was out with my hand that I hurt on the job. He said while you are out with depression your hand could get better. While I was sleeping my life away my hand did not get any better so I went to a hand specialists and he said I torn the tendons and sent me to physical therapy that did not work. I called my boss Kevin Devin to inform him that I hurt my hand on the job so he filed an accident report. My doctor said surgery would fix it. I said I want a second opion so he sent me to a specialists and he treated me with cortisone shorts to relieve the pain I received three of them and it did not work so he said surgery. Meanwhile Verizon sent me to two doctors and the first doctor, was Dr. Pick, he said

there was nothing wrong with my hand, and the second did not see any thing wrong. However, I guess my two doctors were lying. I hired a lawyer for workers comp, which we went to court and the judge informed me that both doctors were against me so I did not have a case. Therefore, I had to settle for what they were offering me. I had no money coming in so I settled. My lawyer told me to wait on the surgery. So now, I received a termination letter on February 2, 2002. They said because I did not return to work, but my doctor said I could not return to that type of work. Then they gave me a different reason that was my attendance. I had depression, which I got after my husband died. It comes back to me every time I get upset. However, when I called about my benefits they said I am retired as of December of 2001. I went thru all the right channels I thought but no one will help. I called my Union for help I did pay Union dues for the full twenty-five and a half yrs. My Union name is The International Brotherhood of Electrical Workers. They did nothing to help me. I had a worker comp case. Which I lost because there doctors said there was nothing wrong with my hand. I went and had surgery to my left hand the doctor said he repaired the tendons. Now I cannot bend my left hand and I blew, out my right shoulder babying my left hand. My world fell apart I have major depression and have no income coming in and I am the soul supporter and all my loans and credit card can't be paid so now I and in debt. I was always independent never ask anyone for help now I have to ask for help but no help is there all lawyer say I don't have a case others say it will take to long and I have no income to pay for a long trial. What hurts me more than anything I was a dedicated employee and a hard worker no like the other girl I work with that came in late every day and then socialized on the phone while myself and one other girl did the work of the whole office. No supervisor said anything to a girl that did nothing but socialize on the telephone while myself and one other girl closed out all the tech, that were call to close out there work for the day, so they could go home.

That is why I hurt my hand, doing the entire close out of the tech. while she talks on the phone. I took setup to help when managers go on vacation and I covered the whole office on the weekends. I worked until midnight some nights covering cable failure, when no one else could do the job. Well I leant the hard way all I was is a number to the company and everything I did for them meant nothing. If you can help me I would appreciate, it as I am stuck in a hard place and do not know what to do. I want my story to be told so no other person will have this happen to them its not fair it is a Hugh company and they should not treat there employees like I was treated. Know one should have to go thru what I and going thru. Please will sum one help me I cannot do this alone, I, and not letting them get away with this. I want to file a civil case against Verizon and my Union IBEW International brotherhood of electrical workers.